CONSTITUTION AND BY-LAWS
OF THE
NATIVE VILLAGE OF CROOKED CREEK

PREAMBLE

We, a group of Native residents of Crooked Creek, Alaska, having a common bond of residence, in order to promote our welfare through the development of governmental and economic enterprises, do establish this Constitution and By-Laws.

ARTICLE I - NAME

The name of this organization shall be the Crooked Creek Traditional Council.

ARTICLE II - TERRITORY AND JURISDICTION

The territory and jurisdiction of the Native Village of Crooked Creek shall extend to all Traditional Boundaries, including all lands selected by or for Kipchaughpuk, Limited, established under the Alaska Native Claims Settlement Act of 1971; and merged into The Kuskokwim Corporation.

The jurisdiction of the village shall include authority over members and their property and those eligible for membership outside the Tribe's territory and regulatory power over any person in the jurisdiction of the Native Village of Crooked Creek, unless prohibited by Federal Law.

ARTICLE III - MEMBERSHIP

Section 1. Membership Requirements. The requirements of enrollment to the Native Village of Crooked Creek shall be prescribed and established by ordinance according to:

a. Base Roll. Those names appearing on the roll of Kipchaughpuk, Limited., established under the Alaska Native Claims Settlement Act of 1971, shall establish the base roll for membership.

b. Descendents. The direct descendents of such members are also eligible for membership.

c. Adoption.

1. The Tribal members may adopt any Alaska Native into the Tribe. These members will have the same rights and privileges as other Alaska Native members. The direct descendents of such member shall be eligible for membership.

2. The Tribal members may adopt any person who has no Alaska Native Blood as a "honorary member" of the Tribe, but this member shall have limited rights and privileges as accorded to that of Alaska Native members.

Section 2. Definition of Adult. Any member who is 18 years of age or older will be considered an adult.

Section 3. Rights of Members. Consistent with the customs, laws and traditions of Crooked Creek, the Council in exercising its powers of self-government shall not deny to any person within its jurisdiction, freedom of speech, press or religion, or the right to assemble peacefully, nor shall the Council deny to any person the equal protection of Village laws or deprive any person of liberty or property without due process of law.

Section 4. All members, 18 years of age or older shall have the right to vote in Village meetings and elections.

Section 5. The retained powers of the people of the Native Village of Crooked Creek not expressed in this Constitution shall not be lost by omission, but may be exercised by a vote of thirty percent (30%) of the adult membership or delegated by the membership to the Council by petition.

ARTICLE IV - THE COUNCIL

Section 1. There shall be a Traditional Council composed of a President, Vice-President, Secretary/Treasurer and two (2) members, elected by the adult members of the Native Community.

Section 2. The Council shall represent the Native Community in all its undertakings and shall exercise the inherent powers of Government for the Native Community enumerated in this Constitution.

Section 3. Each member of the Council shall serve for staggered terms of 3 years, 2 years, 1 year in the following order: President and Vice-President - 3 years; Secretary/Treasurer - 2 years; two (2) members - 1 year each.

ARTICLE V - POWERS OF THE COUNCIL

Section 1. The council shall have the inherent powers of a Tribal Government, including but not limited to those specified in this Article or by Resolution or Ordinances, which do not violate Federal or applicable Tribal laws.

a. To acquire property, accept gifts and prevent the alienation or loss of Tribal property without the consent of the village members, and to regulate land use and management.

b. To promote the health and welfare of the children of the members of this village and address issues under the Indian Child Welfare Act, by establishing a Tribal court or Tribal body to address Tribal issues.

c. To enact ordinances, resolutions, procedures and regulations necessary to give effect to any provision of this Constitution.

d. To encourage and protect Tribal traditions, language and culture.

Section 2. To negotiate and contract with the Federal and State Governments and their agencies on behalf of the Native Community; to negotiate and contract any person, firm, corporation or municipality on behalf of the Native Community.

Section 3. To acquire Federal, State and private funds for the welfare of the Native Community.

Section 4. To provide for filling vacancies in office or on the Council consistent with this Constitution.

Section 5. To levy dues, fees and assessments for Community purposes on members of the Community and to provide for their collection and enforcement through its ordinances, for the good of the Native Community.

No such assessments shall be laid except by resolution of the Council at any regularly called meeting.

ARTICLE VI - CHANGE OF OFFICERS

Section 1. Any officer of the Council or official of the Native Community, who has/is convicted of a felony or any other offense involving dishonesty or moral turpitude shall forfeit his office.

Section 2. If the office of a Council member is vacant for any reason, the Council may appoint a successor to serve until the next regular meeting of the Native Community at which time a member shall be elected to fill the unexpired term.

Section 3. Any Council member missing three (3) consecutive meetings without explanation, shall be regarded as having resigned, at which time Section 2. of this Article shall be applied.

ARTICLE VII - AMENDMENTS

Amendments to this Constitution and By-Laws may be proposed by a resolution of the Council or by petition of The Native Community. Amendments shall become effective when ratified by a majority vote of adult members, provided that at least thirty percent (30%) of those entitled to vote in such election shall cast their ballot.

ARTICLE VIII - DISSOLUTION

The Constitution and By-Laws shall continue in existence until dissolved by a majority vote of the adult members of this Native Community, provided that at least thirty percent (30%) of those entitled to vote in such an election shall cast their ballot.

ARTICLE IX - SEVERABILITY

If any portion of this Constitution or By-Laws shall be found to be invalid for any reason by a court of proper jurisdiction, the invalid language shall be stricken and all remaining language shall remain in full force and effect.

BY-LAWS
OF THE
CROOKED CREEK TRADITIONAL COUNCIL

ARTICLE I - DUTIES OF OFFICERS

Section 1. President. The President of the Council shall preside over all meetings of the Council and of the Native Community, exercising the usual duties of a Chairman and any other delegated to him.

a. He may vote in Council meetings only in case of a tie.

b. The President is charged with general responsibilities for the administration of the Native Community, and for drafting ordinances and resolutions.

Section 2. Vice-President. The duties of the Vice-President, in the absence of the President, will be the same as those of the President.

Section 3. Secretary/Treasurer. The Secretary/Treasurer shall act as a Chairman in the event that the President or the Vice-President is absent from the village.

a. He shall conduct all correspondence and keep a complete and accurate record of all business transactions of the Native Community or of the Council.

b. He shall record all rules and regulations and ordinances in appropriate books for the information and guidance of the Community members.

c. He shall accept, receive, make receipt for, preserve and safeguard all funds for which the Council is responsible.

d. He shall make faithful record of such funds and shall report to the Council all receipts and expenditures and the amount and nature of all funds in his possession or custody.

e. He shall not pay out or authorize disbursement of any funds for which he is responsible except upon authorization of the Council.

f. The Secretary/Treasurer may be required at the request of the Council to give bond satisfactory to the Council.

Section 4. Council Members. The duties of the two (2) Council members are to assist the Council Officers in conducting the government business and affairs of the Native Village of Crooked Creek and all other duties delegated to them by the Council Officers.

Section 5. Appointive Officers. The duties of all appointive officers, agents or committees appointed by the Council shall be clearly defined by a resolution of the Council at the time of appointment. No appointive officer shall serve for a term longer than the elective officers.

Section 6. Records. All accounts, records, books and minutes of the Native Community or Council meetings shall be subject to examination by members of the Community or the Council, or the agents of the Federal or State Government having authorized business in the village.

ARTICLE II - QUALIFICATIONS OF OFFICERS

Section 1. No person may be a candidate for any elective office unless he has the qualifications of a voter.

Section 2. No person who has been convicted of a felony may be a candidate for any elective office.

ARTICLE III - MEETINGS

Section 1. The Council shall meet on the first Tuesday of each month at 7:30 p.m. unless otherwise ordered by the Council, and at such times as may be voted by the majority of the Council.

Section 2. The President may call such other special meetings as he may deem necessary by giving two (2) days notice to the members of the Council.

Section 3. Quorum. Three (3) Council members shall constitute a quorum for a Council meeting. For a general Native Community meeting, one-third (1/3) of the membership shall constitute a quorum.

Section 4. Careful and accurate record in the form of minutes shall be kept of all regular and special meetings of the Council, and preserved in the appropriate files of the Council.

ARTICLE IV - ELECTIONS

Section 1. The election of the Council will take place in October of every year. The elections will be by secret ballots with the candidates names running for President, Vice-President, Secretary/Treasurer and two (2) members. The candidates with the most votes will be officers according to votes received. In the event of a tie, a flip of a coin will determine who receives the higher office.

Section 2. In the event a quorum for an election is not established, all officers shall hold over in office until an election meeting quorum can be established and an election is held.

ARTICLE V - RIGHTS OF MEMBERS

Section 1. All members of the village 18 years of age or over have the right to vote in village meetings and elections.

Section 2. Members of the village shall have the right to speak and meet freely in a peaceable way.

Section 3. Members of the village shall have equal chance to share in the benefits of the village.

ARTICLE VI - RULE MAKING POWER

The Council shall have the power to make rules and regulations to carry out the provisions of the Constitution and By-Laws.

ARTICLE VII - ADOPTION

The Constitution and By-Laws shall be in effect when it is agreed to by a majority vote of the Village members voting in an election called for the purpose, provided that at least thirty percent (30%) of the voting membership take part. The persons entitled to vote are all the adult Native residents in the Village of Crooked Creek, Alaska.

CERTIFICATE OF ADOPTION

We, the undersigned members of the Village, having been chosen to be the election judges by the majority vote of the members, certify that we were present at the election called for the purpose of adopting this Constitution and By-Laws on October 14, 1980, that the foregoing was duly adopted at such election by a vote of 15 for, and 0 against, where at least thirty percent (30%) of those entitled to vote cast their ballots.

Chairman, Election Board

Vice President

Member